



PATENT
Customer No. 22,852
Attorney Docket No. 8059.0013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
CHRISTENSEN *et al.*) Group Art Unit: 1651
Application No.: 10/529,375) Examiner: I. Marx
Filed: October 28, 2005) Confirmation No.: 4788
For: GRASS ENDOPHYTES)

**Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination.

Copies of the listed non-patent literature document are attached. Copies of the U.S. patents and patent publications are not enclosed.

With respect to the non-English language document, **JP2002-209441**, an abstract of the disclosure of this document can be found in the English language Abstract, which was obtained from the Japanese Patent Office and submitted herewith.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 22, 2008

By: 
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